

REMARKS

The present application has been reviewed in light of the Office Action dated March 3, 2010. Claims 1-4 and 6-16 are presented for examination, of which Claims 1, 2, and 10-15 are in independent form. Claims 10 and 14 have been amended to define aspects of Applicants' invention more clearly. Favorable consideration is requested.

The Office Action states that Claims 1-3, 6-9, 11-13, 15, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Publication No. 2004/0102192 (*Serceki*); that Claims 10 and 14 are rejected under 35 U.S.C. 102(a) as being anticipated by a document entitled "The Windows XP Wireless Zero Configuration Service" (*Zero*); and that Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Serceki* in view of U.S. Patent No. 6,529,522 (*Ito et al.*). For at least the following reasons, Applicants traverse these rejections and submit that independent Claims 1, 2, and 10-15, together with the claims dependent therefrom, are patentably distinct from the cited prior art.

Independent Claims 1, 2, 12, 13, and 15

Notable features of Claim 1 include the interface unit, the first transmission unit, the first determination unit, and the display unit. By virtue of the operation of these features, the first wireless communication device according to Claim 1 can search for a partner wireless communication device that is capable of performing an operator selected function, such as a printing function, for example.¹

Serceki is understood to relate to a software tool that runs on a computer with wireless communication capabilities (*see* paragraph 4). The software tool disclosed by *Serceki* is not understood to include an interface unit that enables an operator thereof to specify a data

¹ Any examples presented herein are intended for illustrative purposes and are not to be construed to limit the scope of the claims

processing function that is used to search for a communication device capable of performing the data processing function selected by the operator. The Office Action does not include a citation to *Serceki* for the “interface unit” recited in Claim 1. For at least this reason, the Office Action has failed to establish a *prima facie* case of anticipation of Claim 1 in view of *Serceki*. If the above rejection is maintained in the next Office Action, the Examiner is respectfully requested to point out with particularity where in *Serceki* the “interface unit” of Claim 1 is believed to be disclosed.

Moreover, the computer running the software tool of *Serceki* is not understood to be connected to a network when a probe request is sent. Instead, the computer is understood merely to tune to a channel, transmit the probe request, await a response, tune to a next channel, and repeat this process for each channel. That is, the computer running the software tool is not understood to connect to an Access Point providing a wireless network when the probe request is transmitted and when a response to the probe request is received.

In summary, nothing has been found in *Serceki* that is believed to teach or suggest a wireless communication device that includes an “interface unit adapted to receive a selection of a data processing function selected by an operator,” a “first transmission unit adapted to transmit a search request signal, to search for the wireless communication device capable of performing the data processing function selected by the operator, to a wireless device connected to the network connected to by said first connection unit,” a “second detection unit adapted to detect, among wireless communication devices connected to the network connected to by said first connection unit, a wireless communication device capable of performing the data processing function selected by the operator, based on a response signal that the wireless communication device connected to the network connected to by first said connection unit has transmitted in

response to the search request signal transmitted by said first transmission unit,” and a “display unit adapted to selectably display information associated with the wireless communication device detected by said second detection unit so as to determine a wireless communication partner,” as recited in Claim 1. Accordingly, Applicants submit that Claim 1 is not anticipated by *Serceki*, and respectfully request withdrawal of the rejection under 35 U.S.C. § 102(e).

Independent Claims 2, 12, 13, and 15 include features sufficiently similar to those of Claim 1 such that these claims are believed to be patentable over *Serceki* for at least the reasons discussed above.

Independent Claims 10 and 14

Notable features of Claim 10 include the search unit and the first and second display units. By virtue of the operation of these features, an operator of the wireless communication device according to Claim 10 can view and select device identification information in accordance with a mode (*i.e.*, new search mode and history mode) selected by the operator, for example.

Zero is understood to relate to a “Wireless Zero Configuration Service” for a computer running the Windows XP operating system (*see* Title). The Wireless Zero Configuration Service is understood to gather and display device identification information of Access Points that provide wireless networks. The Wireless Zero Configuration Service, however, is not understood to gather, much less display, device identification information of devices that are connected to an Access Point that provides the wireless network to which the Wireless Zero Configuration Service is connected. The Office Action does not include a citation to *Zero* for the “search unit” recited in Claim 1. For at least this reason, the Office Action has failed to establish a *prima facie* case of anticipation of Claim 10 in view of *Zero*. If the above

rejection is maintained in the next Office Action, the Examiner is respectfully requested to point out with particularity where in *Zero* the “search unit” of Claim 1 is believed to be disclosed.

In summary, nothing has been found in *Zero* that is believed to teach or suggest a wireless communication device that includes a “search unit adapted to, in the new search mode, compare network identification information included in the detected beacon with the network identification information stored in said storage unit, cause said detection unit to detect another beacon, if there is a match in the compared network identification information,” wherein “in the new search mode, if a beacon including new network identification information is detected, the search unit searches a network configured by a base station that transmitted the beacon for a new partner wireless communication device, based on new network identification information,” and a “first display unit adapted to, in the new search mode, selectively display device identification information of the new partner wireless communication device found by said search unit,” as recited in Claim 10. Accordingly, Applicants submit that Claim 10 is not anticipated by *Zero*, and respectfully request withdrawal of the rejection under 35 U.S.C. § 102(a).

Independent Claim 14 includes features sufficiently similar to those of Claim 10 that Claim 14 is believed to be patentable over *Zero* for at least the reasons discussed above.

Ito et al. is understood to relate to a system for causing plural devices corresponding to communication methods of different formats to be recognized as a single communication system (*see* col. 1, lines 7-14). Nothing has been found in *Ito et al.* that is believed to remedy the deficiencies of *Serceki* or *Zero* as a reference against the independent claims herein.

The other claims in the present application depend from independent Claim 2 and are submitted to be patentable for at least the same reasons. Because each dependent claim also


is deemed to define an additional aspect of the invention, however, individual consideration of the patentability of each claim on its own merits is respectfully requested.

No petition to extend the time for responding to the Office Action is deemed necessary for this Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 06-1205.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable consideration and an early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should be directed to our address listed below.

Respectfully submitted,



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